

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: McIntyre et al.
U.S. Pat. No.: 7,579,009
Issued: August 25, 2009
Art Unit: 1645

Examiner: Swartz, Rodney P
Serial No.: 10/526,228
Filed: March 1, 2005

Title: *Whole Bacterial Cells as Immune Modulator*

Mail Stop Petition

Commissioner for Patents

United States Patent and Trademark Office
Office of Petitions
Randolph Building
401 Dulany Street
Alexandria VA 22314

PETITION FOR RECONSIDERATION OF PATENT TERM ADJUSTMENT UNDER 37

CFR 1.705(d)

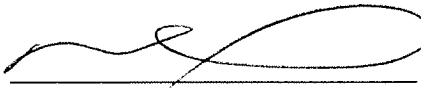
The undersigned hereby submits this petition under 37 CFR 1.705(d) to request reconsideration of the patent term adjustment as indicated on the cover of U.S. Patent No. 7,579,009. In accordance with 37 CFR 1.705(d), this petition is being filed within two months of the date the patent issued. Applicants further submit for consideration, a statement of the facts involved as required under 37 CFR 1.705(b)(2).

The Commissioner is authorized to charge \$200 to the Deposit Account 19-4293 for the petition fee as set forth in 37 CFR 1.18(e). Should this fee be in error, the Commissioner is hereby authorized to debit or credit Deposit Account 19-4293.

Respectfully submitted,

Date: 8-25-09

Steptoe & Johnson LLP
1330 Connecticut Avenue, NW
Washington, DC 20036-1795
Phone: 202-429-3000
Fax: 202-429-3902



Harold H. Fox
Reg. No. 41,498